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Previous Project Conditions



HILLARY GITELMAN
Director

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

December 14, 2006

Jeff and Karin Fontanella
1717 Partrick Road
Napa, CA 94558

Re: FONTANELLA WINERY
Use Permit Request P06-0113-UP
(APNs 050-010-018)

Dear Mr. and Mrs. Fontanella:

Please be advised that **Use Permit Application P06-0113-UP** has been **APPROVED** by the Napa County Conservation, Development and Planning Commission on July 5, 2006 based on the attached conditions.

The permit became effective immediately from the approval date because no appeal of the Planning Commission's action was filed with the Clerk of the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within two (2) years from the approval date, or it shall automatically expire and become void.

EXPIRATION DATE: July 5, 2008

You are hereby further notified, pursuant to Government Code Sec.66020 (d)(1), that the 90-day period, in which you would have to protest imposition of any fees, dedications, reservations, or other exactions that may have been attached as conditions of approval, has begun.

Should you have any questions, please contact John McDowell, Project Planner at (707)299-1354 or e-mail at jmcdowel@co.napa.ca.us.

Sincerely,

Hillary Gitelman
Director

cc: John Tuteur, County Assessor

**NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
CONSERVATION & DEVELOPMENT PLANNING COMMISSION**

**CONDITIONS OF APPROVAL
FONTANELLA WINERY USE PERMIT FILE #P06-0113-UP
APN: #-050-010-018**

1. **SCOPE:** The permit shall be limited to:
- Production of less than 30,000 gallons of wine per year
 - Construction of a 4,969 square foot winery building, and no caves for a winery totaling 4,969 square feet;
 - Construction of approximately 2,600 square feet of covered, unenclosed outdoor work area without tanks located adjacent to the winery building (fermentation tanks and barrels shall be located within the building);
 - three full-time and two part-time employees;
 - five parking spaces;
 - tours and tasting by prior appointment only for 10 visitors per week;
 - a marketing plan with four annual private wine and food tastings for persons in the wine trade, four private wine and food events, and one private harvest event, all with a maximum of 30 persons per event; and,
 - no temporary events, except for one Wine Auction event with up to 100 persons.
 - Hours of operation for the winery shall be limited to 7 AM to 5 PM (except during crush)

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be by the approved Use Permit modification process.

2. **MARKETING:** Marketing events shall be limited as follows:
- a. Frequency: four annual private wine and food tastings for persons in the wine trade, four private wine and food events, and one private harvest event
Number of persons: 30 persons per event
Time of Day: 11:00 AM to 10:00 PM
 - b. No temporary events, except for one Wine Auction event with up to 100 persons.

"Marketing of wine" means any activity of a winery identified in this paragraph which is conducted at the winery and is limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis, and may include food service without charge except to the extent of cost recovery when provided in association with such education and development, but shall not include cultural and social events unrelated

to such education and development. (Ord. 1104 § 11, 1996: Ord. 947 § 9 (part), 1990: prior code § 12071). All activity, including cleanup, shall cease by 10:00 PM. Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 5:30 PM.

3. **TOURS AND TASTING:**

Tours and tastings are limited to a maximum of 4 persons/day with an average of 10 persons/week. "Tours and tastings" means tours of the winery and/or tastings of wine, where such tours and tastings are limited to members of the wine trade, persons invited by a winery who have pre-established business or personal relationships with the winery or its owners, and persons who have made unsolicited prior appointments for tours or tastings. (Ord. 947 § 9 (part), 1990: prior code § 12070). Tours and tasting shall complete by 4:00 PM. Retail sale of wines shall complete by 4:30 PM and shall be limited to those wines set forth in Napa County Code Sec. 18.16.030(G)(5)(c). A log book (or similar record) shall be maintained which documents the number of visitors to the winery, and the dates of their visit. This record of visitors shall be made available to the Department upon request.

4. **GRAPE SOURCE:**

At least 75% of the grapes used to make the winery's still wine shall be grown within the County of Napa. The applicant shall report to the Department on an annual basis by December 31 the source of grapes verifying that 75% of the approved production is from Napa County grapes. The report shall include the Assessor's Parcel Number and the grape tonnage. The report shall be proprietary and not available to the public. For the public record, the applicant shall annually submit to the Department for the file a statement regarding compliance with the sourcing requirement and indicating the percentage of Napa County grapes utilized.

5 **SIGNS:**

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Planning Department for administrative review and approval. All signs shall meet the design standards as set forth in Chapter 18.116 of the County Code. At least one sign placed and sized in a manner to inform the public must legibly include wording stating "Tours and Tasting by Prior Appointment Only".

6. **GATES/ENTRY STRUCTURES:**

Any gate installed at the winery entrance shall be reviewed by the Planning and Public Works Departments and the Napa County Fire Department to assure that it is designed to allow a large vehicles such as motorhomes to turn around if the gate is closed without backing into the public roadway and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required according to the County Code.

7. **LIGHTING:**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and

spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Prior to issuance of any building permit for construction of the winery, two (2) copies of a separate detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Department review and approval.

8. LANDSCAPING/PARKING:

Two (2) copies of a detailed landscaping plan, including parking details, shall be submitted for review and approval prior to issuance of building permits. The plan shall indicate the names and locations of all plant materials to be used along with the method of maintenance. Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any). Landscaping and parking shall be completed prior to occupancy, and shall be permanently maintained in accordance with the landscaping plan.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Any trees that are removed shall be replaced elsewhere on the property on a 2 for 1 basis of equivalent caliper. Replaced trees shall be identified on the landscaping plan. Trees to be retained shall be protected during construction.

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residences that can view these areas. Parking shall be limited to approved parking spaces only and shall not occur along access roads or in other locations except during harvest or approved marketing events. In no case shall parking impede emergency vehicle access or public roads. If any event is held which will exceed the available on-site parking, the applicant shall arrange for off-site parking and shuttle service to the winery.

9. OUTDOOR STORAGE/SCREENING/UTILITIES:

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

New utility lines required for this project that are visible from any designated scenic transportation route (see Chapter 7 of the General Plan and Chapter 18.106 of the Napa County Zoning Ordinance for designated roads) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

10. RENTAL/LEASING:

No winery facilities, nor portions thereof, including but not limited to offices, kitchens, barrel storage areas, and warehousing space, shall be rented, leased, nor used by entities other than persons producing and/or storing wine at the on-site winery,

except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (Section 5.36.010)

11. **COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:**

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not limited to:

Department of Environmental Management as stated in their letter of June 28, 2006
Department of Public Works as stated in their letter of June 2, 2006
County Fire Department as stated in their letter of June 14, 2006
Building Division as stated in their letter of May 31, 2006

The determination as to whether or not the permittee has substantially complied with the requirements of other County Departments and Agencies shall be determined by those Departments or Agencies. The inability to substantially comply with the requirements of other County Departments and Agencies may result in the need to modify the approved use permit.

12. **SPOILS:**

All spoils generated by construction of the project facilities, including cave spoils, shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy.

13. **WELLS:**

The permittee may be required (at the permittee's expense) to provide well monitoring data if the Director of Environmental Management determines that water usage at the winery is affecting, or would potentially affect groundwater supplies or nearby wells. Data requested could include, but may not be limited to, water extraction volumes and static well levels. If applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gage potential impacts on the groundwater resource utilized for the project proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices. In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the use permit would significantly affect the groundwater basin, the director of environmental management shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the director has provided notice and the opportunity for hearing in compliance with the county code section 13.15.070.G-K.

14. **NOISE:**

Construction noise shall be minimized to the maximum extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road condition require construction equipment to be staged, loaded, or unloaded off the project site

(such as on a neighboring road or at the base of a hill), such activities shall only occur between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed winery buildings.

15. **COLORS:**

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific ground and vegetation and the applicant shall obtain written approval by the Department prior to painting the building. Highly reflective surfaces shall be prohibited.

16. **DUST CONTROL:**

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Construction activities shall not occur during windy periods.

17. **ARCHEOLOGICAL FINDING:**

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The Department will be contacted for further guidance, which will likely include the requirement for the applicant to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required. If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

18. **TRAFFIC**

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors will not occur during peak (4-6 PM) travel times to the maximum extent possible. All road improvements on private property required per the Department of Public Works shall be maintained in good working condition.

19. **ADDRESSING**

All project site addresses shall be determined by the Director, and reviewed and approved by the U.S. Post Office, prior to issuance of any building permit. The Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

20. **STORM WATER CONTROL**

For any construction activity that results in disturbance of greater than one acre of total land area, permittee shall file a Notice of Intent with the California Regional Water Quality Control Board (SRWQCB) prior to any grading or construction activity. All hazardous materials stored and used on-site that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified. Parking lots shall be designed to drain through grassy swales, buffer strips, or sand filters prior to any discharge from the impervious surface into a watercourse. If any discharge of concentrated surface waters is proposed in the any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board. All trash enclosures must be covered and protected from rain, roof, and surface drainage.

21. **STREAM SETBACKS**

Final plans submitted for building permit shall include an engineered site plan showing all streams, stream setbacks, existing and proposed improvements and slopes. No new construction or earth disturbing activities have been proposed or approved within established stream setbacks as part of this application. Maintenance and upgrading of existing roads is authorized in accordance with Chapter 18.108 of the Napa County Code.

22. **INDEMNIFICATION**

An indemnification agreement, in the form attached hereto, shall be signed and returned to the County within twenty (20) days of the granting of this approval.

23. **MONITORING COSTS:**

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Board Resolution in accordance with the hourly consulting rate established at the time of the monitoring (\$125.00/hour as of July, 2006). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if it is so

warranted, to commence revocation hearings in accordance with section 18.124.120 of the County Code.



JILL PAHL, R.E.H.S.
Acting Director

COUNTY of NAPA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

TO: Napa County Planning Department
Hillary Gitelman, Planning Director

FROM: Napa County Environmental Management Department
Christine Secheli, R.E.H.S., Environmental Health Manager *CMS*

SUBJECT: Application for Fontanella Winery
Located at 1717 Partrick Road
Assessor Parcel 50-010-18
Permits Plus # P06-0113-UP

DATE: June 28, 2006

We have reviewed the above proposal and recommend approval provided the following are included as conditions of approval:

1. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that generate hazardous waste and/or store hazardous materials above threshold amounts shall file a Hazardous Waste Generator Application and/or Hazardous Materials Business Plan with the Department of Environmental Management within 30 days of said activities. If your business does not generate hazardous waste and/or store hazardous materials above threshold quantities, a Negative Declaration shall be filed.
2. The proposed water system to serve this project is not currently required to be regulated as a small public water system by this Department under California Code of Regulations, Title 22, or Napa County Code. Therefore, we have no comment as to its adequacy at this time. The applicant will be required to provide minimal information on the water system prior to issuance of a building permit, and may wish to retain the services of a consultant in this matter.
3. One additional core hole must be done in the area of the proposed septic system. Two test pits have already been done but one additional test is still required. The proposed septic system will have to meet all current requirements for alternative sewage disposal systems.
4. Plans for the proposed special designed sewage disposal system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any

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structure that generates wastewater to be disposed of by this system will be granted until such plans are approved by the Department of Environmental Management.

5. A permit for the installation of the alternative sewage disposal system must be secured from the Department of Environmental Management prior to issuance of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system. To secure this permit you will be required to submit a scaled plot plan showing the location of the proposed septic system relative to the proposed project and other structures, the required 100% expansion area as well as the proposed trench detail. If special design sewage disposal plans are required, such plans shall fulfill this requirement.
6. An annual sewage permit must be obtained for the engineered/private sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with.
7. If any uncovered outdoor processing areas are proposed, prior to the issuance of a sewage permit for the process wastewater system the applicant must submit a proposal from their engineer that addresses the proper diversion and direction of storm water and process wastewater. The proposal must include a detail on the diversion valve and must clearly show that the valve and both the stormwater and the process wastewater lines are clearly labeled.
8. The use of the drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc., over the system.
9. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
10. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.
11. Adequate area must be provided for collection of recyclables. The applicant must contact the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site.
12. All diatomaceous earth and/or bentonite must be dried and disposed of as solid waste or in another appropriate manner. If the proposed septic system is either a special design sewage disposal system or a private sewage disposal system, the plan submitted for review and approval must address diatomaceous earth/ bentonite disposal.

cc: Jeff and Karen Fontanella, 1717 Partrick Road, Napa
John Kara

**PUBLIC WORKS DEPARTMENT
INTER-OFFICE MEMO**



DATE: June 2, 2006
TO: Conservation Development and Planning Department
FROM: Larry Bogner, Civil Engineer *LARRY BOGNER*
SUBJECT: Fontanella Winery, APN# 050-010-018, P06-0113

RECEIVED

JUN 02 2006

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

The application will allow the applicant to establish a winery with a production capacity of 30,000 gal/yr; 3 full time and 2 part time employees; construct a 5 space parking lot; and 4999 sqft of new building floor area. Parcel is located at 1717 Partrick Road.

EXISTING CONDITIONS:

Existing access road is 15 feet wide and paved at the connection with Partrick Road and continuing for the first 50 feet, then widening to 18 feet for the next 100 feet, and then narrowing to an 11 feet +/- wide chip sealed road for the remaining distance to the winery site.

RECOMMENDED CONDITIONS:

GROUNDWATER

We have reviewed the phase one, water availability analysis for the proposed project. The 26.4 acre parcel is located in the "hillside" area, with an extraction threshold of 0.5 AF/Acre, resulting in a total parcel threshold of 13.2 AF/Year. The estimated water demand of 3.3 AF/Year (0.5 AF/Year for residential uses, 2.0 AF/year for landscaping and 0.8 AF/Year for the new winery) is below the established threshold for the property. Therefore, the projected water use for the project should not have a significant impact on static water levels of neighboring wells. No further analysis is necessary.

NEW DRIVEWAY:

The intersection of the winery access road with Partrick Road is to be reconstructed resulting in the intersection being closer to a 90° intersection, with the angle being at least 60°.

Signage for the proposed one-way road shall be shown on the improvement plans.

The proposed one-way loop road shall be improved as needed to a minimum of a County standard "ONE WAY LOOP ROAD" which is 10 feet wide with 4 feet of shoulder and intervisible turnouts spaced a maximum of 400 feet apart. Shoulder width may be split to 2 feet on either side of road. Structural section shall be a minimum 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent.

The portion of the access drive which will serve two-way traffic shall be widened to a minimum of 18 feet wide with 2 feet of shoulder from Partrick Road to the location where it becomes a one-way loop road. The structural section shall be a minimum 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent. (County Road and Street Standards, Page 9, Par. 12).

PARKING:

Any parking proposed by the applicant or required by the Planning Commission as a condition of this use permit must have a minimum structural section of 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent. (County Road and Street Standards, Page 27, Section 19).

Parking lot details shall conform to the requirements of the latest edition of the Napa County Road and Street Standards.

SITE IMPROVEMENTS:

All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with the Napa County Stormwater Ordinance. Best Management Practices shall also be implemented to minimize dust at all times.

Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.

Grading, drainage and parking improvements shall be constructed according to the latest "Napa County Road and Street Standards".

The applicant must obtain an encroachment permit for any work performed within the Napa County Right-of-Way.

OTHER RECOMMENDATIONS:

If the construction activity results in disturbance of greater than one acre of total land area, permittee shall file a Notice of Intent with the California Regional Water Quality Control Board (SRWQCB) prior to any grading or construction activity. All hazardous materials stored and used on-site that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, concrete, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified. Parking lots and other impervious areas shall be designed to drain through grassy swales, buffer strips, sand filters or other sediment control methods which will be approved by this Department. If any discharge of concentrated surface waters is proposed into any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board. All trash enclosures must be covered and protected from rain, roof, and surface drainage.

Improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this office. Improvement plans shall be submitted with the building permit. A plan check fee will apply.

Prior to the issuance of any grading or building permit, or the signing of improvement plans, the permittee and County shall survey and document the condition of County roads before construction begins, and then reevaluate conditions at the end of construction. Prior to Occupancy of any buildings or commencement of any use, the permittee shall be responsible for repair of any pavement degraded due to its construction vehicles.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Larry Bogner or Drew Lander at 253-4351. For groundwater questions, please contact Anna Maria Martinez.

INTER-OFFICE MEMO



TO: Conservation, Development, and Planning Department

FROM: Mike Wilson, Fire Department

DATE: June 14, 2006

SUBJECT: Fontanella Winery Use Permit Comments
Apn: 050-010-018 P06-0113

Site Address: 1717 Partrick Road, Napa

The Napa County Fire Marshal staff has reviewed the Use Permit application to construct a 4,999 square foot 30,000 gallon per year winery at the address above.

All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at the time of building permit issuance.

1. An approved automatic fire sprinkler system will be required for all structures 3,600 square feet or greater. The entire structure as proposed will require sprinkler protection. The fire sprinkler system shall be installed and maintained in accordance with the *National Fire Protection Association Standard (NFPA) #13. (Installation of Sprinkler System, 1999 edition)*. A minimum of 60 minutes of water storage for the sprinkler system will be required.
2. The minimum required fire flow for the protection of the proposed project is 200 gallons per minute for 60 minutes duration at 20 pounds residual water pressure with a water storage volume of 6,000 gallons. The fire flow is based on the square footage of the building and the construction type and has been reduced by 50% since the building will require automatic fire sprinkler protection. The fire flow and storage volume in a sprinklered building is in addition to the water demand for the sprinkler system.
3. A fire pump may be required to meet the fire flow requirements. The fire pump shall be installed and maintained in accordance to the *National Fire Protection Standard #20 (Installation of Stationary Pumps for Fire Protection 1999 edition)*. Fire pumps are required to be listed and tested by an approved testing agency and are required to be either diesel driven or electric. Electric fire pumps also require a secondary power source.

4. The private fire service mains shall be installed and maintained in accordance to the *National Fire Protection Standard # 24 (Installation of Private Fire Service Mains and Their Appurtenances 1995 edition)*.
5. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the *California Fire Code, 2001 edition, Appendix III B*.
6. All post indicator valves, control valves, waterflow devices and fire pumps shall be monitored by an approved remote station or central alarm monitoring company. The digital alarm communicator system panel shall be installed and maintained in accordance with the *National Fire Protection Standard #72 (Fire Alarm Code, 1999 edition)*. Alarm panel or key pad must be located at main entrance of the building.
7. Access roads from the public and/or private right-of- ways to the project/ building site shall comply with Napa County Road and Street Standards and shall be reviewed by the Napa County Public Works Department.
8. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet at the building site and an unobstructed vertical clearance of not less than 15 feet unless otherwise approved by the Napa County Department of Public Works.
9. Fire apparatus access roads shall be provided to within 150' of all portions of a structure.
10. Fire apparatus access roads shall be cleared of flammable vegetation on 10 feet of each side of the roadway. Dry grass shall be cut to less than 4" in height, ladder fuel from trees shall be removed up to 8', brush shall be cut or removed and all dead fuel shall be removed.
11. A defensible space zone shall be created around all structures. This defensible space zone shall be 100' from all portions of a structure. Flammable vegetation shall be removed and/or modified in the defensible space zone to create a fuel break that will help protect the structures from an encroaching wildland fire and will protect the surrounding wildland areas from a structure fire originating on-site.
12. The request for beneficial occupancy **will not** be considered until all fire and life safety issues have been installed, tested and finalized.
13. The approved address numbers shall be placed by the applicant in such a position as to be plainly visible and legible from the street fronting the property and shall be placed as to be seen from all entrances. Proposed address shall be indicated on the elevation drawings contained within the building plan submittal.
14. The address numbers shall be a minimum of 10" in height, contrasting in color with their background and shall be illuminated.

15. An approved project sign shall be placed at vehicle access points into the project during construction to assist emergency responders. The sign shall identify the project name and address. Such signs shall be clearly visible and legible from the street fronting the project.
16. The applicant shall properly identify all required fire lanes. Fire lanes shall be painted red with white letters to read "NO PARKING FIRE LANE CVC 22500.1, stenciled every 30 feet on top of the curb.
17. A Knox Cabinet shall be installed at an approved location by the Napa County Fire Marshal's Office.
18. The Knox rapid entry system shall have one or all of the following items placed in the Knox cabinet, dependant on requirements of this facility:
 1. A minimum of 2 master keys to the structure(s) for emergency access.
 2. 2 scaled site plans of the facility, identifying all buildings, hydrants, fire department access around the facility, and location of all water, electric, and gas shut-off valves.
 3. 2 scaled floor plans of all structures showing doors, offices, etc.
 4. A digital file of the site plans in a PDF format must be submitted at building final in addition to the hard copies listed above.
 5. Napa County Hazardous Materials Business including all MSDS forms, etc.
19. A complete set of Building Plans shall be submitted to the Fire Department for review and approval.
20. Barricades shall be provided to protect any natural gas meter, fire hydrant, or other fire department control device, which may be subject to vehicular damage. Approved signs may be required to identify the location of fire protection devices.
21. Technical assistance in the form of a fire protection engineer or consultant acceptable, and reporting directly, to the NCFD shall be provided by the applicant at

no charge to the County (California Fire Code section 103.1.1) for the following circumstances:

- a. Independent peer review of alternate methods proposals.
22. Plans detailing compliance with the fire and life safety conditions-of-approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and /or as described above.
23. A digital file of the site plans in a PDF format must be submitted at building final in addition to the hard copies listed in the condition describing the contents of the Knox Box.

Mike Wilson

Mike Wilson
Assistant Fire Marshal



HILLARY GITELMAN
Director

COUNTY *of* NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

TO: John McDowell

FROM: Darrell Mayes

DATE: May 31, 2006

RE: P06-0113

John,

The applicant shall apply for and procure all required Building, Electrical, Plumbing and mechanical permits.

Each building will require separate Building, Electrical, Plumbing and Mechanical permits if there is work proposed on more than one building on site.

Darrell Mayes, CBO



HILLARY GITELMAN
Director

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

September 4, 2007

Jeff and Karen Fontanella
1717 Partrick Road
Napa, CA 94558

Re: **FONTANELLA WINERY**
Minor Modification #P07-00280-MOD
Assessor's Parcel Number 050-010-018

Dear Mr. & Mrs. Fontanella:

Please be advised that your request for a Minor Modification (file number P06-00280-MOD) to the Fontanella Winery Use Permit (file number P06-0113-UP) to reduce the size of the winery building and covered outdoor work area, but with no changes to approved production or marketing activities, has been **APPROVED** by the Director of Conservation, Development and Planning on September 4, 2007 based on the attached conditions of approval and applicable County regulations.

EXPIRATION DATE: September 4, 2009

Pursuant to Section 18.124.080 of the Napa County Code, this minor modification must be activated within two (2) years from the approval date, or it shall automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your minor modification permit. In addition, approval of this minor modification has no effect on the time limits in which to activate the original project use permit.

Please be advised that the Director of Conservation, Development and Planning has determined that this minor modification is **Categorically Exempt** from the provisions of CEQA, the California Environmental Quality Act. Pursuant to CEQA Section 15301, Class 1, Existing Facilities, and Appendix B, Class 1, Existing Facilities of Napa County's Local Procedures for Implementing the California Environmental Quality Act, the project consists of a minor alteration to a previously approved project involving no expansion in production or marketing activities and is not located in an environmentally sensitive area.

The modification is effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be noticed.

You are hereby further notified, pursuant to Government Code Sec.66020 (d)(1), that the 90-day period, in which you would have to protest imposition of any fees, dedications, reservations, or other exactions that may have been attached as conditions of approval, has begun.

Should you have any questions, please contact John McDowell, Project Planner at (707)299-1354 or e-mail at jmcdowel@co.napa.ca.us.

Sincerely,

Hillary Gitelman
Director

By: John McDowell
Deputy Planning Director

CONDITIONS OF APPROVAL

Fontanella Winery Modification

File # P07-00280-MOD

APN: #050-010-018

1. SCOPE: The permit shall be limited to:

- Detach the covered, unenclosed word area and reduce the size from 2,600 sq. ft. to approximately 2,100 sq. ft.
- Reduce the size of the winery building from approximately 5,000 sq. ft. to approximately 3,500 sq. ft.
- Convert the existing two story barn structure into offices for winery use consisting of a total 1,463 sq. ft.
- No changes in production or marketing limits authorized by Use Permit 04046-UP

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code. It is the responsibility of the applicant to communicate the requirements of these conditions and the original use permit conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be by the approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

3. INDEMNIFICATION

An indemnification agreement, in the form attached hereto, shall be signed and returned to the County within twenty (20) days of the granting of this approval.

4. STREAM SETBACKS:

Final plans submitted for building permit issuance shall include a site plan prepared by a qualified professional showing all streams, stream setbacks, existing and proposed improvements and slopes. No new construction or earthmoving activities have been proposed or approved within established stream setbacks as part of this application unless specifically enumerated in Section 1 (Scope), above. As determined by the Director of Conservation, Development and Planning, temporary construction fencing shall be placed at the stream setback line to prevent unauthorized encroachments.

5. PREVIOUS CONDITIONS:

The permittee shall comply with all previous conditions of approval for Use Permit 04046-UP, except as modified by this action. To the extent there is a conflict between previous conditions of approval and these conditions of approval, these conditions shall control and supersede earlier ones.

6. MONITORING COSTS:

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Board Resolution in accordance with the hourly consulting rate established at the time of the monitoring (\$125.00/hour as of July, 2006). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if it is so warranted, to commence revocation hearings in accordance with section 18.124.120 of the County Code.